

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

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:
UNITED STATES OF AMERICA :
:
versus : Criminal Action Number
:
SAMMY ARAYA : 1:15-CR-301
:
Defendant. :
-----x

-----x
:
UNITED STATES OF AMERICA :
:
versus : Criminal Action Number
:
MICHAEL HENDERSON : 1:15-CR-301
:
Defendant. :
-----x

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:
UNITED STATES OF AMERICA :
:
versus : Criminal Action Number
:
JEN SEKO : 1:15-CR-301
:
Defendant. :
-----x

April 10, 2017

Volume I of X

(Government's Opening Argument)

The above-entitled Jury Trial was continued
before the Honorable James C. Cacheris, United
States District Judge.

THIS **EXCERPT** TRANSCRIPT REPRESENTS THE PRODUCT
OF AN OFFICIAL REPORTER, ENGAGED BY THE
COURT, WHO HAS PERSONALLY CERTIFIED THAT
IT REPRESENTS TESTIMONY AND PROCEEDINGS OF
THE CASE AS RECORDED.

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____Tonia M. Harris, Official Reporter____

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1 (Previous proceedings were had but not included herein.)

2 **OPENING ARGUMENT**

3 MS. BATEMAN: Good afternoon, ladies and
4 gentlemen. My name is Samantha Bateman and along with my
5 co-counsel, Ryan Faulconer, I'll be presenting this case
6 on behalf of the United States.

7 The case that you're going to hear throughout
8 this trial, is all about lies and deception. You'll learn
9 it's about a group of people operating out of the southern
10 California area, specifically around L.A. in Orange
11 County. Who all banded together and conspired to defraud
12 homeowners struggling to make their mortgage payments in
13 the wake of the financial crisis.

14 Including some people who lived right here in
15 the Eastern District of Virginia. This case will be about
16 the lies that the conspirators told those homeowners, the
17 false promises, and the money they scammed them out of.
18 Thousands of dollars from each individual person, but up
19 to millions of dollars in total.

20 The conspiracy you're going to hear about in
21 this case was to operate something that I'm going to call
22 a mortgage modification fraud scam. And it can sound kind
23 of complicated, but you'll learn that unfortunately it's
24 really pretty simple. So I want to tell you how it works
25 by explaining from the perspective of just one of the

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1 victims that fell prey to it. Somebody you'll hear from
2 named Cheryl Giles. You'll have an opportunity to meet
3 Cheryl and when she takes that stand she'll tell you that
4 she and her husband Donald lived together in a small town
5 in Massachusetts called Amesbury. And like a lot of
6 homeowners in the wake of the financial crisis in the 2012
7 time period, she and Donald had run into some tough times.
8 You will hear that the Giles had some medical bills piling
9 up and then Donald lost his job. Cheryl still had a full
10 time job, she was working and her job is to help mentally
11 handicapped adults learn to take care of themselves, do
12 some basic life tasks. It's really rewarding work, but
13 she will tell you it's not that financially lucrative. So
14 for a while she actually took out a second job cleaning
15 houses, but it still wasn't enough.

16 In the fall of 2012 the Giles fell behind on
17 their mortgage payments. They were having trouble paying
18 the bills and they started getting letters in the mail
19 from their bank talking about possible foreclosure. So
20 they were scared. They were worried they might lose their
21 house.

22 And then one fall day in October 2012, they go
23 to the mailbox, open it up and find this. This pink
24 mailer. Now you'll see this document and others like it
25 throughout the trial, this one at the top in big capital

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1 letters says "Notice of HUD relief." HUD being the U.S.
2 Department of Housing and Urban Development. And there's
3 a logo at the bottom Equal Housing Opportunity. Right
4 below some teeny tiny print that says the company isn't
5 really associated with HUD. It says it's courtesy of
6 something called Retention Services, which you'll hear the
7 Giles had never heard of before, but when they read the
8 document, it said, "Many Americans are unaware of their
9 rights. But, we have been trying to reach you without
10 success." It said that they might be prequalified for
11 something that could help them out with their mortgage. A
12 modification. And you'll learn that there is a program
13 that the federal Government administers that helps people
14 modify their mortgages. They show a hardship that can
15 reduce their monthly mortgage payments to a more
16 manageable amount.

17 But it said here that they could contact a case
18 manager for more information. And then in bold print
19 underlined it says, "Your time is running out."

20 So, their interest was piqued. They look at the
21 other side. It's got a case number. It looks official.
22 It has their name, their mortgage balance, all of their
23 personal information that they think is private, their
24 street address, and everything else, even status of their
25 loan. And so, they think it's legitimate. They turn it

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1 back over and they see a toll-free helpline on there and
2 they talk about it and decide to call. They are excited.
3 For the first time in months they feel hopeful again.
4 Maybe this pink mailer will be the ticket to saving their
5 house. So, they pick up the phone, they call that number,
6 and then they talk to somebody who says that they are a
7 customer service representative from this organization.
8 They want to help. They say maybe your bank isn't
9 treating you very well, but we will, we'll listen. And
10 the person on the other end of the line asks Cheryl,
11 What's going on? How did you fall behind? And so she
12 explains about Donald's job and how hard it is to make
13 ends meet on just her salary. And then they say, We might
14 be able to help you, but how much can you actually pay?
15 How much money do you have? And so, she tells them. And
16 they say "Prove it." So she sends some financial
17 documents as they've requested.

18 And then pretty soon she gets another call, and
19 they say congratulations, you're in luck, you've been
20 approved for a mortgage modification. All you have to do
21 is pay an upfront fee. Something called a "reinstatement
22 fee" that your lender is supposedly requesting. And here
23 is the only catch, it has to be certified funds. It's
24 about \$4,000 that they have to pay in two to three weeks.
25 It has to be a cashier's check or money order made payable

1 to a certain company and then sent out to an address in
2 southern California.

3 They sit down and talk about it. Cheryl and
4 Donald think that this is legitimate. That's not their
5 concern. Their concern is the amount of money. It's a
6 lot for them at that time. But, they decide it's worth it
7 if they can save their house.

8 So they scrape together the money. They go to
9 the bank or the post office and get a money order and then
10 they send it off to California. And then they get another
11 call. Somebody talks to Cheryl and says again, good news
12 your mortgage modification is almost approved, but there's
13 one more step. Now you have to make a couple of trial
14 payments, monthly payments, to prove that you're going to
15 be able to make the new lower monthly amount.

16 And again, they say you have to send it to us
17 out in California. In fact, they say don't send it to
18 your bank. Don't pay your mortgage like normal. Just
19 send the money to us. In fact, don't even contact your
20 lender because all they could do is ruin this deal. So
21 Cheryl and Donald, they do. The Giles again they get the
22 money together, they send off a couple of monthly
23 payments, and then they wait for the mortgage modification
24 that they've been promised.

25 You can probably guess what happens next. We'll

1 prove, throughout this trial, that there was no such thing
2 as a company called Retention Services in southern
3 California that was really trying to save their home.
4 We'll prove it was all just lies and deception. Part of a
5 fraud conspiracy. You'll learn the HUD relief that they
6 were promised in this mailer never materialized. There
7 was never a case manager standing by ready to help them
8 out. In fact, you'll learn that the money they sent never
9 even went to their bank or lender. It wasn't used for
10 mortgage modification or to reduce their monthly payments.

11 When they realized that, when they tried to call
12 back, demand a refund ask what happened, the phone lines
13 went dark. Nobody answered. We're going to prove the
14 scammers stole their money and moved on.

15 You'll also learn that Cheryl Giles and her
16 husband were far from the only people to fall victim to
17 this. Homeowner after homeowner after homeowner all
18 across the country had the same basic thing happen to
19 them. You're going to hear from a handful of those
20 people. It happened to David Augustin who lives in New
21 York, his wife was pregnant at the time, and he was
22 scammed too. It happened to people who lived in Ohio like
23 Daniel Thompson and Gladys West who works as a registered
24 nurse. It happened to disabled veterans of the U.S. Armed
25 Forces who served our country honorably like James

1 Williams. And it happened to people who live right near
2 here. So you'll hear from Barbara Barkley, a widow who
3 lived in Chesapeake at the time. It also happened to
4 David Outing who lives sort of outside of Richmond in
5 Chesterfield. And it happened to a janitor named Archie
6 Davis, who lives right near here in our back yard in
7 Woodbridge, Virginia. You're going to learn that they
8 were all part of a pattern. A large conspiracy that
9 defrauded a number of different homeowners. We'll prove
10 to you that all of the companies that they dealt with,
11 that were supposedly offering them assistance, weren't
12 actually qualified to do that and never did.

13 I do want to tell you that there are going to be
14 some differences in their stories. So in some cases
15 you're going to hear that the scammers on the other side
16 of the phone told them different information. Sometimes
17 they pretended to be from a nonprofit. Other times they
18 made it sound like they were a representative of the
19 homeowners' lender or maybe the servicer for their
20 mortgage. And so other times they made it sound like they
21 were affiliated with real Government agencies or real
22 Government programs that were supposed to help homeowners
23 out in the wake of a financial downturn.

24 Other times they were also told to make their
25 payments in different ways. Still hard earned savings but

1 different methods of transmitting it so wire transfers or
2 something you'll hear about called MoneyGrams instead of
3 money orders or cashier's checks. And the scammers used
4 different mailers from time to time too. You'll learn
5 they actually changed tactics and changed these around so
6 that they could avoid law enforcement detection and stop
7 homeowners from complaining if they received the same type
8 of document in the mail again. So you'll see ones that
9 are different colors or you'll hear about different
10 contents of these letters. And then a few people didn't
11 get a letter at all. There were a couple, just a small
12 handful that actually signed up online on a website that
13 the conspirators created in those fake company names.

14 And you'll also hear that every once in a while
15 the scammers would actually contact people's banks. They
16 would send in letters of authorization, which had fake
17 aliases on them. And people will explain to you that that
18 wasn't really to try to help anybody out. You'll learn it
19 was a stall tactic. It was a processing arrangement that
20 made it look like they were doing something to help so
21 that it could prolong the process, and they could collect
22 more and more of those monthly payments. It was a
23 cover-up.

24 So despite those small differences, at bottom,
25 all the stories you are going to hear are the same. Just

1 like the Giles family. Every other victim that testifies
2 will tell you a story that is just that simple and just
3 that sad. They all were having trouble making their
4 mortgage payments. They were all scared of losing the
5 house where they and their families lived. They were all
6 contacted and promised assistance and they all paid money
7 for it and got absolutely nothing in return.

8 So, those are the victims of the fraud scam.
9 Now who are the scammers? Well, you're going to learn
10 that this was a pretty large and sophisticated operation.
11 It involved a number of different people all working
12 together. In short, we'll prove it was a conspiracy. And
13 you're actually going to hear from a few conspirators
14 during this trial. People who have been charged with
15 federal crimes, pleaded guilty and admitted what they've
16 done. Some of them are serving prison sentences. And
17 you'll hear from some of them that they're hoping to
18 reduce some of those sentences, but they haven't been
19 promised anything. The only agreement they've entered
20 into is to tell the truth and they only get a benefit if
21 they do that. So they'll have to come into court and
22 testify and tell the truth about what they did, how the
23 scam worked, and who else was a part of it.

24 So they'll tell you that these mailers with the
25 company names on them, they changed those company names

1 all the time. Just like they changed the mailers. You'll
2 hear that the people who were answering the phones and
3 pretending to be customer service representatives, they
4 weren't really qualified or trying to help. And they were
5 using fake names and aliases, which they also changed
6 quite frequently.

7 You'll learn those addresses in southern
8 California where people were told to send their payments,
9 weren't really businesses or offices. They were PO boxes
10 at retail mailbox stores that anybody can open. At a
11 place like a UPS store or a mailbox, et cetera. And
12 you'll learn that they never sent the money that they
13 received along to anybody's bank or lender to modify a
14 mortgage. They kept the money and pocketed it, and then
15 used it for themselves.

16 Now the other three individuals, who are in
17 court today, have been charged with the same conspiracy.
18 Their names are written up on the board behind me. They
19 are also sitting behind me. And all three of them have
20 exercised their right to go to trial, which means that
21 they are presumed innocent until we prove them guilty
22 beyond what's called a reasonable doubt. And that is what
23 we will do throughout this trial.

24 So throughout the rest of this opening statement
25 I want to explain how we're going to do that for all three

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1 of them. And you can think about the three of them and
2 remember each of their separate but key and important
3 roles, by these three words that start with an M that I'm
4 going talk about throughout the rest of this statement,
5 and that you'll hear about throughout the rest of the
6 trial. Those are the mailers, the money, and the
7 mastermind.

8 So let me introduce you to those three M words.
9 First we have the mailers. That's defendant Jen Seko.
10 Who is sitting over to my left in the back. You'll learn
11 that she was the one that sent out the documents like
12 this. Then there's defendant Michael David Henderson who
13 is sitting right there. And you'll learn that he was the
14 money guy. He helped to manage the conspiracies money and
15 the money that they derived and then distributed to other
16 co-conspirators. He also helped scam some of the victims
17 on the phone convincing them to part with their hard
18 earned savings.

19 And then finally there's defendant Sammy Araya,
20 the mastermind. You're going to learn that he cooked up
21 the whole thing. It was his organization, it was his
22 operation. He managed it and he profited the most from
23 it.

24 So now let me walk through those three M's sort
25 of one by one. I want to start with the mailers. You're

1 going to learn that in order to carry out a scam like
2 this, which involves relatively small dollar amounts but
3 from a lot of different people, two things are really
4 critical. One is you have to know who's desperate and
5 vulnerable enough to fall for it. In other words, who's
6 facing foreclosure. And the other is you have to contact
7 enough of those people that at least some of them will
8 fall prey. So that's where the mailers come in. That's
9 where defendant Seko's responsibility came in. Because
10 you'll learn that she actually did internet research,
11 looking at publicly available court records and other
12 documents and who was facing foreclosure. She looked that
13 up online and helped figure it out and then she shared it
14 with the co-conspirators. And then she sent mailers just
15 like this with some differences, with different titles,
16 different colors, but the same basic idea all across the
17 country blanketing the United States with them.

18 And then, they would get responses from those
19 mailers of people who are ripe to be scammed. Now we'll
20 prove that she sent the mailers out through a company that
21 she owned called Seko Direct Marketing. And you'll also
22 see that she sent them out with statements in them that
23 she knew or should have known were false; that she had to
24 know were untrue based on her own personal experiences.
25 For example, "We have been trying to reach you with no

1 success." Well, you'll learn she was the one who got the
2 contact information for those individuals and she didn't
3 share it with her co-conspirators before sending these
4 things out. All she sent them was lists of numbers of
5 possible victims per state. So 1,000 possible victims in
6 New York this month facing foreclosure or 3,000 possible
7 victims in Georgia who you might be able to scam.

8 So you'll have to ask yourself without their
9 contact information and without any of that other
10 information about their mortgage status, how could they
11 have been trying to contact those people without success?
12 How could Ms. Seko have thought that statement was true?

13 Next, the money. This is where we turn to
14 defendant Henderson. And you're going to learn what he
15 did for the scheme as well. You'll see he opened bank
16 accounts in his name that were used to receive victims'
17 payments. Cashier's check, money orders, wire transfers.
18 You'll also see documents proving that he opened some of
19 those mailboxes at places like UPS stores where victims
20 were instructed to mail their checks. And then other
21 people who worked with him in this scam will testify and
22 tell you he was also on the phones as a purported customer
23 service representative. Helping to convince victims to
24 make the payments and even training other people, giving
25 them tips and best practices for how to do it.

1 And then finally there's defendant Araya, the
2 mastermind. All of the co-conspirators who testify are
3 going to tell you that he was the one who ran this scheme.
4 That he recruited other people into it. He held training
5 sessions teaching them how to do it. Came up with scripts
6 for what they should say on the phones. He held team
7 meetings where he would encourage people to make more and
8 more money for the fraud scam and reward those who did.

9 And you'll learn that although he took pains to
10 keep his name out of stuff and to have other people do the
11 dirty work for him, he took a cut of everything, which he
12 used to fund a lavish lifestyle. Expensive cars and a
13 three-story mansion he lived in in Santa Ana, California.

14 I want to talk just very briefly about the
15 charges in this case. Judge Cacheris already outlined
16 them and you'll hear arguments and instructions much later
17 at the end of trial. So I'll be very brief. But
18 basically all they've been charged with is conspiracy and
19 also mail and wire fraud. So for conspiracy it just means
20 an agreement. And we'll prove that although there wasn't
21 necessarily a written document, nobody signed on the
22 dotted line, they all did band together and knowingly
23 agree to carry out the scam.

24 And then the mail and wire fraud charges are
25 going to be based on specific mailings and also e-mails,

1 wire communications, that have something to do with the
2 Eastern District of Virginia. E-mails processed here or
3 mail that was sent to or received from a victim homeowner
4 who lives in northern Virginia. Ultimately, by the end of
5 this trial we'll have proven that there was a massive mail
6 and wire fraud scam being operated from out west. Mostly
7 southern California. But a couple of co-conspirators who
8 later moved to Las Vegas, and that they defrauded a lot of
9 homeowners.

10 The real question, you'll have to answer
11 throughout this trial, is whether each of these three
12 individuals that has gone to trial knowingly participated
13 in the fraud. So let me end just by talking about that.

14 First, the mailers defendant, Jen Seko. You're
15 going to see the mass mailers that she sent out with some
16 of the false statements in them. Some that I've talked
17 about already and others that you'll learn about later.
18 But one thing I haven't told you yet, is that she was
19 actually warned that this was all a fraud and she kept
20 doing it anyway. You're going to hear she was approached
21 not once, but twice by inspectors from the United States
22 Postal Inspection Service, which is a law enforcement
23 agency that investigates mail fraud. She was told that
24 they were looking into a mail fraud scam involving these
25 mailers and Sammy Araya. They approached her in January

1 of 2013 the very first time and then came back on April 1,
2 2013. And she was told that if she kept continuing to
3 send out the mail, if she didn't stop, she could be seen
4 as conspiring with them.

5 Now during the April 2013 visit you will hear
6 that she also made a recorded call with Sammy Araya on the
7 other end. So she agreed to do that when the postal
8 inspector asked her. And you'll hear that entire call.
9 It's about 30 minutes or so. It will be played at trial.
10 And you'll hear that they talked about a victim
11 complaining about not getting a mortgage modification and
12 on the other end of the line Sammy Araya tries to say
13 "Don't worry, we'll get him a modification." He gives her
14 the runaround. But that's the same visit where the postal
15 inspectors tell her about those many other victim
16 homeowners all across the country who are also raising
17 similar complaints. And that a grand jury is
18 investigating a fraud scheme. And then you'll see what
19 she does after she's given those warnings.

20 Now she'll say she stopped. That's what she
21 told the postal inspector. She claimed she stopped for
22 good. And maybe she did for a little while. But you'll
23 see she picked right back up again. Because, in words
24 that she wrote, "Sammy Araya was her biggest customer and
25 he gave her the highest profit margins." So we'll prove

1 that months after the second postal inspector's visit in
2 April of 2013, she was still sending out the same mail.
3 All on behalf of defendant Araya helping to hook more and
4 more homeowners in.

5 You'll hear about that from somebody else who
6 worked for Sammy Araya. He'll testify -- and his real
7 name is Joshua Johnson. But what he's going to tell you
8 is that he used some aliases when he dealt with Ms. Seko.
9 One before the postal inspector's visit and another one
10 after. But then he'll tell you that when he met up with
11 her, in person, he used the same voice that he previously
12 used on the phone. He was ordering the same types of
13 mailers. They had discussions about working with the same
14 group on behalf of this same type of corporation that was
15 running a mortgage modification scam. And the defendant's
16 response, what Ms. Seko did when she was confronted with
17 the fact that it was the same person with the same voice
18 who was just using a different name sending the same
19 mailers in the name of a different company, was to laugh
20 about it. You'll hear she laughed about how many
21 different aliases everybody else was using.

22 You'll also hear from some co-conspirators who
23 never even met her, but they knew that postal inspectors
24 had visited. Because, even though law enforcement told
25 her not to, she tipped them off about it. And it won't

1 just be the co-conspirators' word that you'll have.
2 You'll actually have documents, e-mails, that were found
3 on her computer after a search warrant that are dated
4 after the second postal inspector visit. Where she's
5 discussing sending out more mailers to more vulnerable
6 homeowners, and talking about victim complaints.

7 You'll see one where she says, "I know this
8 mailer has gotten victim complaints before by people who
9 didn't get modifications, but "my fingers are crossed"
10 insert smiley face emoticon, that you won't get too many
11 more complaints in the future.

12 And most importantly, you're also going to hear
13 some voicemails, which again were on her computer, backup
14 files, that law enforcement technicians recovered. They
15 are from after, months after, the postal inspectors
16 visits. In September, October, and November of 2013. And
17 they're voicemails left by Sammy Araya. People will
18 identify his voice. And on the call he says, "It's
19 Sammy." And you know what they're discussing? More
20 mailers, more mailing campaigns, and how much money Jen
21 Seko is going to get paid for it.

22 So let's talk about defendant Henderson for a
23 moment. Now you're going to see the bank records for the
24 bank accounts that he opened in his name but with a DBA, a
25 doing business as name. Of companies like Trust Funding

1 and American Certified Processing. That sound legitimate
2 and that they might be willing to help. But that you'll
3 learn were never qualified or authorized to modify
4 anybody's mortgage and never did.

5 You'll see he listed himself as the manager or
6 owner of those businesses. And you're even going to hear
7 from some victims who were directly scammed by him. Who
8 talked on the phone to a male individual who told them, In
9 order to get this modification, you'll have to hurry up
10 and send a wire transfer or a MoneyGram right away, to
11 somebody named Michael Henderson or Michael David
12 Henderson in some cases. And that was a faster way in
13 some ways of getting cash in his pocket, but you'll learn
14 it left a trace, because you'll hear from the clerk out in
15 California, at a grocery store where Michael Henderson
16 presented his California driver's license and received
17 those wire transfers, which were marked as MoneyGrams that
18 were supposed to go to homeowners' mortgages, but instead
19 went into Michael Henderson's pocket.

20 Finally, I'd like to talk about defendant Araya,
21 the mastermind. People are going to tell you how he
22 trained others in the scheme and how he talked about it.
23 How he made light of it. How he actually talked to
24 victims on the phone using fake accents, fake voices, and
25 fake names. How he told others to do the same. You'll

1 hear that he and others made fun of the victims who fell
2 prey to this and then called to complain. They called
3 them hot potatoes and they tried to pass them around so
4 that nobody will actually have to deal with them.

5 You'll also learn about team meetings that he
6 called, about how to avoid detection from law enforcement.
7 When investigators started looking around and coming
8 around the buildings and the call centers where his
9 employees were working, he would call a team meeting and
10 initiate what was called a reset, where they would shut
11 down briefly, move office buildings, destroy their
12 computers and other documents, and then start right back
13 up again with a new company name and a new list of
14 aliases. But you'll learn that throughout it all,
15 throughout all of those transitions and the different
16 locations and the different addresses, one thing remained
17 the same. Defendant Araya always got his cut.

18 The very last thing I want to talk to you about
19 is about one key date that brings all three of those
20 defendants together in the same room. That date is
21 September 25, 2013. Because you'll learn that months,
22 almost five to six months, after that April 2013 visit
23 from the postal inspector to Seko Direct Marketing. Even
24 though Jen Seko didn't stop sending out the mailers, it
25 was apparently decided it would be a good idea to get her

1 name out of the equation. Previously she'd be sending out
2 the mail using a bulk mailing permit at one of the post
3 offices in southern California. But, you'll learn that on
4 September 25, 2013, she went into a new post office. This
5 time in Fullerton, California, another city in that area,
6 with two men and opened up a brand new mailing permit.
7 Permit 78.

8 You'll hear from the clerk who was working in
9 the post office that day. And you'll see the document,
10 the application that was used to open the new permit. You
11 know whose name was on it? Michael Henderson. Along with
12 the same driver's license that he used to open bank
13 accounts and to receive MoneyGram transfers directly from
14 victims. And then we'll prove through the postal
15 statements and the testimony of the postal clerk that even
16 though his name was on it, it was Jen Seko who kept on
17 bringing in the stacks and stacks of mailers and sending
18 them out.

19 And we'll prove to you that she was doing so on
20 behalf of Sammy Araya. In fact, you'll even see the
21 e-mail where they decided to do all of this that was on
22 Ms. Seko's computer, where Sammy sent her an e-mail before
23 going into that post office and they talked about getting
24 Mike to help them out.

25 So if you remember nothing else, we'd ask you to

1 remember the story of that date, September 25, 2013. It's
2 a little bit of a complicated story in some ways. It does
3 involve a lot of people. And you'll have to hear from a
4 number of different witnesses and look at some documents
5 to really piece it together and unravel it. But you'll
6 see that the only reason it was so complicated is because
7 they tried to make it that way, because they were trying
8 to conceal themselves from detection from law enforcement,
9 trying to hide what they were doing.

10 When all the evidence and testimony is in, they
11 won't be able to hide from it anymore, because you'll see
12 that on that date the person sending the mailers, the
13 person handling the money, and the mastermind, all got
14 together, banded together, and conspired to do what
15 they've been doing for years. To keep scamming
16 homeowners. Real people, real families, with real
17 financial problems who were lied to, who were exploited,
18 and who were defrauded by these three defendants.

19 That's why at the end of this trial, my
20 co-counsel, Mr. Faulconer, is going to come before you
21 again, and he'll ask you to find each and every one of
22 these three defendants guilty on all charges.

23 Thank you very much.

24 (Defendants' Opening Arguments were given at this time,
25 but not included herein.)

CERTIFICATE OF REPORTER

I, Tonia Harris, an Official Court Reporter for the Eastern District of Virginia, do hereby certify that I reported by machine shorthand, in my official capacity, the proceedings had and testimony adduced upon the Trial in the case of the **UNITED STATES OF AMERICA versus SAMMY ARAYA, et al**, 1:15-CR-301, in said court on the 10th day of April, 2017.

I further certify that the foregoing 25 pages constitute the official transcript of said proceedings, as taken from my machine shorthand notes, my computer realtime display, together with the backup tape recording of said proceedings to the best of my ability.

In witness whereof, I have hereto subscribed my name, this the 4th day of May, 2017.



Tonia M. Harris, RPR
Official Court Reporter